High-Church Antipathy

TO

Proteſtant LIBERTY;

OR AN

ABSTRACT

OF THE

Tottenham School-Maſter's CASE, and TRYAL:

Preſented to the Serious Conſideration of all *Proteſtants*; eſpecially of thoſe, who are Principled againſt *Perſecution*, and are for Preſerving the Act of Toleration.

IN A

LETTER *to a Member of the laſt Parliament.*

By *Eleutherophilus Miſodioctes*: A Lover of Liberty, and an Enemy to Perſecution.

Let your Moderation be known unto all Men. The Lord is at Hand, Phil. iv. 5.

I will Inviolably Maintain the Toleration. QUEEN *ANNE*'s Speech to both Houſes of Parliament, Octob. 27th, 1705.

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The INTRODUCTION.

Honoured Sir,

HAVING been often desired by you, and some other worthy Gentlemen, True Lovers of English Liberty and Property, and perfect Enemies to all Tyranny and Oppression, to send you a Narrative of the Proceedings of an High-Church Party at Tottenham in the County of Middlesex, against a Quaker School-Master there, in the Years, 1707, and 1708. Headed and Influenc'd by two Great Men, from a Pretended Principle of Zeal for the Church, but in Real Prejudice to Protestant Dissenters and the Toleration: I have at last Conquered those Objections I struggled with, and prevailed with my self to comply with the Request. It is apparent to him, that can see but three Consequences off, that the Party struck not only at the Quaker's School, but all others of the same Perswasion; yea, and at all the Protestant Dissenters Schools in England, whether Presbyterian, Independent, or Baptist; for had Success so far answer'd their Designs, as to have Suppressed the Quaker's School; it would have been a Precedent for the Party to have followed in other Places; and the Dissenters must have had no Schools for the Instruction and Education of their Children. A Design as Cruel as that of Julian the Apostate; who by a Severe Edict Prohibited Christian Schools. So great is the Penalty of that Statute made in the First Year of King James the First, viz. Forty Shillings a Day for Teaching School without License, upon which the Quaker was Prosecuted; that tho' intended only against Jesuits, Seminary Priests, and Popish Recusants; yet the Edge of it being turn'd upon Protestant Dissenters, would soon have cut their Schools in Pieces. Informers in Hopes of the Moiety of the Forfeiture, which the Statute gives them, would have been incouraged every where; and Prosecutions would have equalled the Number of Dissenters Schools. O what Havock, Spoil and Devastation would have been the Consequences thereof! How many Hundred Families Ruined thereby, the Fathers Confined to Nasty Prisons, and deprived of all means to get Bread for themselves, their Wives and Children!

But not to pursue this Argument any further at present, with the Pernicious Consequences attending it; for, Blessed be God, the Party have been prevented, and I hope will be for ever Kept by the Wisdom and Moderation of our Legislators, from acting such Cruelties upon their Conscientious, Peaceable and Inoffensive Neighbours; nor Entertain you with the Compleat History of the Quaker's Troubles; for that would be too large for the compass of a Letter, and may be more Serviceable some time hereafter, when the Fermented Party is become a little Cool and Sedate, and fitter than now they are to hearken to Reason. I shall therefore, from the Minutes that were taken by a Faithful Hand, while their Proceedings were in their Rise and Progress, give you a short Abstract of his Case; in the Drawing of which, I shall have a special Regard to Truth, and you may depend upon it as an Impartial Narrative, whatever the Adversaries may Report to the Contrary.

It is Observed of Suetonius, that Excellent Roman Historian; that he took the same Liberty to Write the Emperours Lives, which they did to lead them. The same Course, in Imitation of his Example, I shall take in the following Abstract: For what the Quakers Adversaries were not ashamed to Act, why should I be afraid to Publish?

An ABSTRACT OF THE Quaker's CASE.

IN the Beginning of the Year, *Richard Claridge*, a *Quaker*, came to Live in *Tottenham*, and there Taught a *Grammar-School*. To which, many of the *Parish* ſending their Children, the *High-Church-Party* were Alarm'd at it, and ſome of them told the Parents of the Danger of ſuch an Education, as tho' there was *Hereſy* in Learning *Lilly* and *Camden*; and others cautioned the *Quaker* againſt Teaching any but the Children of thoſe of his own Perſuaſion; adding, that, if he perſiſted, he would give offence to the Lord *Colrane*, and Juſtice *Smithſon*, and they would Proſecute him for it. But the *Quaker* perceiving that a Deſign was forming, tho' then but an *Embryo*, againſt his Teaching of *any School at all*, whether of *Quakers* Children, or others, as afterwards plainly appear'd; he was ſo far from being diſcouraged at this *Miniſters* Caution, that he thought it his Duty to continue that Poſt, which Providence had call'd him to. Whereupon, as the Sequel manifeſted, the *Party* were reſolv'd to make him the Mark of their Indignation.

The firſt Steps they took in order to attack him, were Copied from the *Plan* of the *Old Perſecutors*; they Loaded him with *Lyes*, *Calumnies* and *Reproaches*; the Slanderer's Maxim was Curent Doctrine with them: *Fortiter Calumniare, aliquid adhærebit*; *Throw Dirt enough, and ſome will ſtick*. Their Language, was *Jeſuit*, *Papiſt*, *Heretick*, *Apoſtate*, *Impoſtor*, *Perjured*, *Rogue*, *Villain*, and all the *Ill Things* they could either pick up, or invent.

And having thus Dreſſed him, as it were, in *Bear-Skins*, either to ſcare the People, or excite them to Bait him; he was Cited *Sept.* 7. 1709. into *Doctors-Commons*, on Pretence for his *Soul's Health*, and *Reformation of his Manners*; when 'twas only for *Teaching of School without the Biſhop's Licenſe*. But this, for want of a Promoter, to go on with the Cauſe, was quickly dropt.

Whereupon ſome of the Neighbourhood were of Opinion, the *Party* would give him no further Diſturbance: But the ſame bitter Spirit remaining in them, he ſoon heard of a freſh Attempt contriving againſt him. For there having been a Meeting at his Houſe, *Jan.* 29. following, at which were ſeveral of the *Prieſt's* Hearers, the *Party* were very much incenſed againſt him, and thought to have took the Advantage of the Law; but his *Houſe* being entred according to *Act of Parliament*, that Deſign prov'd Abortive.

The next Information given me of their Malice againſt him, was from the *Veſtry*, *March* 14. following, Where, among other angry Expreſſions, *Juſtice S——n* threatned to take him up for a *Papiſt*, or *Jeſuit*.

And accordingly, on the 20th of the ſame Month, he was Serv'd by the *Conſtable* with a *Summons*, under the Hands and Seals of the Lord *Col——ne*, Juſtice *S——n*, and Juſtice *Heiſhetter*, to appear before them, and others of Her *Majeſty's* Juſtices of the Peace for the County of *Middleſex*, at Mrs. *Calvert's* in *Edmonton*, to take the *Oaths* Appointed by a late *Act* of *Parliament*. This was at that Time, when the *French-Invaſion* was deſign'd upon *Scotland*; pretending, *He was a Dangerous Perſon to the Government*.

In

In Obedience to their *Summons*, he Appear'd before them at the Time and Place appointed; and after a Solemn Protestation of his sincere Love to the *QUEEN* and the Government, to clear himself of their Suspicions, which were wholly groundless, he made and Subscribed the *Declaration of Fidelity*, and the *Profession of Christian Belief*, according to the Act of *Toleration*, which was all they then required; for the *Test-Declaration* mentioned in a *Statute* made in the Thirtieth Year of King *Charles* II. against *Transubstantiation*, &c. they omitted, and Justice *S——n* told him, He had done all that the Law required.

But some time after, the *Q——r* looking over the *Act*, and finding that *Test-Declaration* was to have been made and Subscribed with the other; or else his Qualification would be imperfect, he design'd to go to the *General Quarter-Sessions* at *Hicks's-Hall*, and there to make and Subscribe it: Justice *S—n* hearing thereof, sent him this Message to prevent his Going, *viz.* "Remember my Love to Mr. *Claridge*, and tell him, he need "not go to the *General-Quarter-Sessions*, for he hath done all that the Act requires of "him. And yet this Omission was afterwards at his *Tryal* made use of by the *Justices* Councel, to Invalidate the said *Claridges* Qualification, when his Councel insisted upon it, as will be shewn in its proper place. All which Circumstances give just occasion for an indifferent Person to conceive, that the *Justices* Message was a meer *Complement* to *Claridge*, with a Design to prevent him of the Benefit of the Law, when he should have Cause to plead his Qualification in Court.

But to return to the *Sessions* at *Edmonton*; after *Claridge* had made and Subscribed the *Declaration* and *Profession* aforesaid, and thought they had done with him, for that time at least: The Lord *Col——ne*, in a very passionate manner, fell hard upon him about his School, saying, *I cannot bear that you should Teach School under my Nose* (Tho' a known *Papist* kept a Boarding-School within three Miles off him, unmolested.) And because he insisted upon a *Right to Teach School*, both by the *Common-Law*, and the *Act of Toleration*, the said Lord and Justice *S——n*, did both of them say, *They would Try that with him, and that they would Spend Five Hundred Pounds, but they would Suppress his School.*

In pursuance of which Unchristian Resolution, they called a *Vestry*, *April* 29th, 1708. and there proposed the Matter to the *Vestry*, and endeavoured to get their Consents to Prosecute him in the *Church-Wardens* Name, and so to have saved their own Money, and Credit, and to have Spent their Revenges upon him in the Name of the *Warden*, and at the Charge of the Parish. But the Opposition they met with from several of the Parishioners at that *Vestry*, quite quash'd that Project. For they said, *It was a Thing unreasonable, and that they would not spend their Money to do their Neighbour an Injury, who did them none; but did a great deal of good in the Parish, by Teaching poor Children Gratis; which the Master of the Free-School should have taught, having a Salary for that purpose, but neglected his Office.*

When the said *Lord* and *Justice* saw themselves prevented of making it a *Vestry-Act*, and so a *Parish-Business*, they procur'd Subscriptions from a *Chyrurgeon*, an *Iron-Monger*, and a few more of their mind to their Paper, and said, *They would Prosecute him themselves.*

Accordingly, *April* 28, following, he was Serv'd with a *Process* to Appear in *Doctors-Commons*, to Answer certain Articles or Interrogatorys concerning his * "*Soul's Health*, and the *Reformation of his manners*; "and especially for Teaching and Instructing Boys or Young-Men in the Elements and Rudiments "of the *Grammar*, and other School-Learning, in a Publick or "Private School within the Parish of *Tottenham*, without any "*Licence* or *Faculty* for the same, at the Promotion of *Thomas* "*Crocker*, Promoter. But *Thomas Crocker*, being an Officer in the Court, for some Reasons, was dropt; and when *Articles* were Exhibited against the *Q——r*, another Promoter was set up to Prosecute, *viz.* *Edward Earle*, at that Time the Lord *Col——ne's* Footman, and had been not long before in the like Inferior Post under Justice *S——y*. This Man was a Poor, Ignorant Fellow, and declar'd, he *Knew nothing of the Matter*, but

* *This is their Common Form, and 'tis nothing but Form; for how can they look after the Health of other Mens Souls, who confess every day in their Common Prayer, There is no Health in us?*

but that his Lord desired him to Sign a Paper, Promising to save him harmless; which for fear of disobliging his Lord, he Signed, but knew not the Contents of the Paper. Whereby you may see what a silly Creature this was, and how easily drawn in to do his Neighbour a Mischief; he being but the Puppet or Tool upon the Stage, while they stood behind the Curtain; and by certain Springs or Wiers gave him all his Motion.

If any shall require a Proof of this, I refer them to the *Sessions* at *Edmonton*, to the *Vestry* at *Tottenham*, before-mentioned, to the *Publick Voice* of the *Parishioners*, and particularly, to the *Depositions* of *their own Witnesses*, (Seven in Number) in *Doctors-Commons*, Six whereof Depose, *That they had heard, and did believe, that* Edward Earle *Promoted and Prosecuted this Cause, at the Instance, Request and Charges of his* Lordship, *and not Voluntarily*; and the Seventh adds, *of several others, Parishioners of the said Parish.* And what is further Remarkable, Three of the said Witnesses Depose, *That they did Believe this Prosecution arose from the Malice or Ill-will of his* Lordship *towards the Minister*; (the Term there used, instead of the Name *Claridge*) or Words to the same Effect.

And that Justice *S———n* was a Principal Person in Promoting and Encouraging the same, take his own Words for a Proof, which he spake to a Neighbour, *May* 20th, 1708. *viz.* "My Lord *C———ne* and I, will spend Five Hundred Pounds with *Claridge*. I am "going into *Yorkshire*, but I have told my *Lord* what he should do, and how he should "Proceed in my Absence. *Claridge* is an *Impudent Dog*; I have given my *Lord* my Hand, "and I will assist him, I am resolved, as far as *Five Hundred Pounds* will go.

After they had set up *Edward Earle*, to be Promoter, the *Q—r* Petition'd the *Judge* by his *Proctor*, Honest *George Sayers*, that he might be set aside for Insufficiency, being a Poor Man, and no House-dweller. Whereupon it was Order'd, he should be set aside, except he gave sufficient Security. Upon which, *Abraham Loeff's*, the *Lord's* Bayliff, was Bound with *Earle* in a *Hundred Pound Bond*, *June* 9th, 1708. to Indemnify the *Bishop* of *London*. And so *Busie* was this Man, not to say *Honest*, that he had the Confidence to appear at the *Queens-Bench*, *Feb.* 14. following, and there give Evidence against the *Q—r*. I do not understand the Terms of Law, nor Methods of Courts; but to me it seems strange, that the same Man shall give Security, whereby he became a Party, to Prosecute in one Court, and be an Evidence in another against the same Person, and in a Cause of the same Nature.

The proceedings in *Doctors-Commons* against the *Q—r*, were in Order to a *Monition* to desist Teaching of School for the Future; Which was to be, in their Stile, for his *Soul's Health*; and if after *Monition*, he persisted to Teach School, then he must have been *Excommunicated* for his Contempt; and this Disciplinary Potion was to be for the *Reformation of his Manners*: But if this fail'd of its Effect, then they had an *Infallible Dose* in readiness for him, a *Writ de Excommunicato Capiendo*, whose Operation had been to a *Goal*.

Thus his Body must have Really Suffered for the Pretended Sin of his Soul, had not the *Temporal Power* been more Merciful than that Erroneously call'd the *Spiritual*. Under the Wing of the *Temporal Power*, the Oppressed Man found Shelter from the Rage of those *Furies*. For upon a Motion at the Court of *Queens-Bench* for a *Prohibition* to stay this *Suit*, on a *Suggestion*, "That Teaching School was Lawful for any Person by the "*Common Law*: That *Ecclesiastical Canons* against the *Common Law* are Void: That *Acts* "*of Parliament*, and Offences against them, belong to the *Temporal Court*. A *Rule* of *Court* was obtain'd in *Trinity-Term*, 1708. to Stop Proceedings in *Doctors-Commons* till the first Day of *Michaelmas-Term* following, when they were to shew Cause, if any they had, why a *Prohibition* should not be granted against them and their Proceedings.

But the *Q———s* Adversaries shewing no Cause, the *Rule of Court* was made *Absolute*, and a *Prohibition* granted, and no further Proceedings were had against him in that *Court*. Neither did they care to Argue the *Validity* of the *Suggestion* at the *Queens-Bench*; but the Lord *C———ne* being Dead, his *Relict*, the present *Lady*, and Justice *S———n*, being full of Indignation, in *Michaelmas-Term* aforesaid, put up one *Robert Curd*, the *Ladys* Coachman, as Poor and Ignorant a Fellow as the Footman, and as easie to be made a *Tool* of, in their Names to Prosecute the *Q———er* upon the *Statute* made, in the First Year

Year of King *James* the First, for the *due Execution of the Statutes against Jesuits, Seminary Priests*, and *Recusants*: Who caused the said Q——*er* to be *Arrested* with a *Quo Tam*, &c. and did Declare upon the *Statute* aforesaid, for the Forfeiture of *Forty Shillings* a Day, for Teaching School without a Licenſe, 290 Days, before the 1ſt of *October* 1708. whereby, as the *Plaintiff* alledged, the *Defendant* had Forfeited to the *Queen*, and *himſelf Six Hundred Pounds*. To this *Declaration* the *Defendant Claridge* Pleaded, as juſtly he might, *Nil Debet, He Owed the Plaintiff Nothing*; and Iſſue was thereupon Joined, and Came to *Tryal* before the *Lord Chief Juſtice Holt*, at the Court of the *Queens-Bench*, the Fourteenth of *February*, 1708.

The ſaid *Claridge* in his Defence, by his Learned Councel, Sir *Peter King*, Sir *Edward Northey*, and Mr. *Collet*, inſiſted; That he was a *Quaker*, not liable to be Puniſh'd by that *Statute*, the *Act* ſeeming to Levell *only* againſt *Jeſuits, Seminary-Prieſts*, and *Popiſh Recuſants*.

He likewiſe inſiſted upon the *Statute* made in the Firſt Year of King *William* and Queen *Mary*, For *Exempting Her Majeſty's Proteſtant Subjects Diſſenting from the Church of England, from the Penalties of certain Laws*; and that *Perſons that ſcruple the taking any Oath*, if they Subſcribe the *Two Declarations*, and *Profeſſion of Chriſtian Belief*, mentioned in that *Statute*, they ſhould be *Exempted from all the Pains and Penalties of all and every the Statutes made againſt Popiſh Recuſants, and Proteſtant Non-conformiſts*.

That he had Qualified himſelf according to the *Statute* of the Firſt of King *William* and Queen *Mary*, but that he was *Miſ-lead* by Juſtice S——*n*, who told him, when he had Subſcribed the *Declaration of Fidelity*, and the *Profeſſion of Chriſtian Belief*, that he had done all that the Law required to Qualifie him; when he had not Subſcribed the *Teſt-Declaration*, mentioned before. Beſides, there was a *Defect* in taking out the *Copy* of the *Record*, and ſo that was laid aſide.

But it was the Opinion of the *Lord Chief Juſtice Holt*, and the *Councel*, that if a School-Maſter Qualified himſelf according to that *Statute*, he ſhould be Exempted, as aforeſaid.

The *Tryal* was pretty long, and upon the whole Matter, the *Lord Chief Juſtice Holt*, in Summing up the Evidence to the Jury, declared, " The *Proſecution was very Violent* " againſt the *Defendant*; and a little after, he ſaid with ſome Earneſtneſs, *I ſee it is a* " *Violent Proſecution*.

He alſo Declared, that the *Statute* of the Firſt of King *James* the Firſt, *did not Reach Publick Schools*, and *that the Defendant kept a School Openly and Notoriouſly, which he took to be a Publick School*; but would not *then* determine whether the *Defendant* was within the Penalty of that *Statute* or not; but directed the *Jury* to find the *Maſter Specially*; which they did in the Subſtance following:

WE find, that the Defendant *hath Taught School, during Two Days, being Part of the Time mentioned in the Declaration, in his Houſe at* Tottenham-High-Croſs, *in the County of* Middleſex, *not being Licenſed by any Arch-biſhop, or Biſhop, &c. as the Statute of King* James *the Firſt does direct. That the ſaid School was no Free-School, nor Eſtabliſhed by any manner of Endowment; but the* Defendant *Taught any Young Perſons, who would come to be Taught by him: And he Taught his Scholars Openly and Notoriouſly in the View of all Perſons, who had Occaſion to reſort to his ſaid Houſe; And we find the* Defendant *is* A Quaker, *and* No Popiſh Recuſant, *and as to the Reſt,* Nil Debet.

Subſcribed,

Ja: Mountague.
Edw: Northey.

The

The *Jury* declared after the Tryal, *That it was a Malicious Prosecution.* And that they were of Opinion to find for the *Defendant*, and to give him Cost; but that the *Judge* told them, that the Matter of Law did not Lie before them, but the Time; and that they must find some Time, the *Plaintiff* having proved his *Declaration.*

Whereupon, they first found One Day; at which, the *Judge* seem'd displeased, and Turn'd them back, and then they found Two Days.

Thus, Sir, I have given you a Short and True Account, to the best of my Knowledge and Information, of this Bitter and Violent Prosecution, which put the *Q——r* to very much Trouble, and great Expence, even to his Damage Fifty Pounds deep, and upwards, and gain'd his Adversaries no Credit; but the Ungrateful Name of Violent Persecutors.

I have often heard the *Q——r* declare, that he never had, during all their Ill Treatment of him, both by Words and Actions, nor since, any thing but Love and Good will to them; and like a True Christian, he freely Forgives them, and desires *that it may please* the Lord *to give* them *true Repentance*, for all their Sins; and as it is in our *Litany*, *Deliver* them *from all Blindness of Heart; from Pride, Vain-Glory and Hypocrisie, from Envy, Hatred and Malice, and all Uncharitableness.* And as it follows a little after, *That it may please him to forgive his Enemies, Persecutors and Slanderers, and to Turn their Hearts.* In which Prayer I heartily join with him, and Conclude, Honoured Sir,

Yours, &c.

Octob. 1st, 1710. E. M.

APPENDIX.

After you have given this *Brief Narrative* your Perusal, you may probably ask the Reason, why I omitted the Names of *Daniel Prat, Vicar* of *Tottenham, Edward Butterfield, Lecturer*, and *Daniel Kidley*, Master of the *Free-School*, who were very Active in Fomenting and Encouraging this Prosecution? I Answer, I purposely reserved them for this Place, that they might stand by themselves, and be viewed together. For as they pretend to be Men of a distinct and peculiar Order, so they deserve a distinct and Peculiar Animadversion. They had a Notable Faculty at Whispering, Backbiting, Spreading False and Slanderous Reports, and where no Matter offer'd it self, they could Create it. They were also Masters in the Arts of *Billingsgate*, and such Proficients in Scurrility and Buffoonry, that one would think they had Studied little else. They knew how to aggravate the smallest Things, to Wound instead of Healing, and to add fresh Fuel to that Fire, which they should have endeavour'd to Extinguish. They insinuated the Unreasonableness of suffering a *Quakers* School in the Parish, and applauded their *Patrons* Zeal to the *Church*, against the *Danger* threatned by that *Heretick*, and *Impostor*, as they were pleas'd to traduce him. They were so well known for their Talents this way, that to mention their Names, and particularly, the *Vicar's*, would be sufficient. For he, on *October* 24th, 1708. instead of *Preaching* to the People, fell to *Railing* against the *Quaker*; for knowing the *Pulpit* to be a Privileg'd Place, this *Young Orator* declaimed like a Man in a Frenzy. But what did he gain by his *Pulpit-Invectives*? Scandal to his Name and Function, and the Censure of his Sober Hearers. Nor was he Content to Expose his *Weakness* there, but must needs do it afterwards by *Letter* of *November* the 4th following; Ignorantly telling the *Quaker*, that his School was not allow'd by Law, and was a Nursery of *Heresy* and *Schism*; when it was allow'd by Law, *viz.* by the *Common-Law*, and *Act of Toleration.* And as to his Charge of *Heresy* and *Schism*; these being said, but impossible to be prov'd, the *Quaker* thought such Stuff unworthy his Consideration.

Some Remarkable Accidents that happened in and after this Prosecution.

In the Time of the *Prosecution*, the Lord *Cotrane* deceased.

After the Prosecution, *John Whitehouse*, one of the Subscribers, a bitter Spirited Man, died.

Earle and *Curd*, that had been the *Tools* to work Mischief with, were turn'd away in Disgrace; and thereby the Old Proverb was verified, *Love the Treason, but hate the Traitor.*

FINIS.